

REMARKS/ARGUMENTS

Claims 1-36 were originally presented.

Claims 1, 4-6, 8, 13-16, 18, 21-22, 26-27, 29, 32, 34, and 36 are currently amended.

Claim 20 was previously presented.

No claims are canceled by the current Response.

Claims 1-26 and 32-36 are rejected under 35 U.S.C. §102(e) as being allegedly anticipated by US Patent 6,012,088 to Li et al. (hereinafter, "Li").

Claims 27-31 are rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over US Patent 6,012,088 to Li in view of US Patent 6,212,585 to Chrabaszcz (hereinafter, "Chrabaszcz").

Claims 1-36 remain in this application.

Please note that an RCE Request is being filed concurrently herewith to remove the final status of the present Application, and to thereby ensure entry of this Response.

1 **35 U.S.C. §102(e)**

2 **Claims 1-26 and 32-36**

3 Claims 1-26 and 32-36 are rejected under 35 U.S.C. §102(e) as being
4 allegedly anticipated by Li. Applicant respectfully traverses the rejection.

5
6 **Amended independent claim 1** recites:

7 A method comprising:

8 receiving an identifier associated with a computing system
 and/or computing system user;

9 assessing computing system resources;

10 comparing the assessed computing system resources against
 authorized and available computing system resources; and

11 automatically modifying the computing system resources
12 based, at least in part, on the assessment of the computing system
13 resources by selectively installing, and/or configuring certain of the
14 computing system resources to include at least some of the
15 authorized and available computing system resources and settings
16 found to be missing from the assessed computing system resources.

17 Li fails to disclose or show the method of claim 1.

18 Claim 1, includes “assessing computing system resources”, “comparing the
19 assessed computing system resources against authorized and available computing
20 system resources”, and “automatically modifying the computing system resources
21 based, at least in part, on the assessment of the computing system resources by
22 selectively installing, and/or configuring certain of the computing system
23 resources to include at least some of the authorized and available computing
24 system resources and settings found to be missing from the assessed computing
25 system resources”.

26 In rejecting claim 1, the Office relies on Li at Col. 9, line 25 through Col.
27 10, line 5; Col. 10, line 66 through Col. 11, line 16; Col. 12, lines 1-26; and Col.

1 14, lines 50-65. However, Li does not disclose all the elements of claim 1 in the
2 cited passages or anywhere else within Li.

3 Li discloses an automatic process for configuring an Internet access device
4 to communicate with the Internet. (Please see Li, Abstract). The Internet access
5 device can then be connected to a user's computer system or LAN to allow the
6 computer system or the LAN to communicate with the Internet. (Li, Col. 11, lines
7 9-13).

8 In order to configure the Internet access device, a customer in possession of
9 the device must connect the device to a phone line, and then enter a registration ID
10 and a local access number from an Internet Service Provider (ISP) into the device.
11 (Li, Col. 11, lines 9-13 and Col. 11, lines 45-49). This allows the device to
12 connect with a modem of an ISP's network access server, and begin accessing and
13 downloading a unique configuration record and automatically configure itself for
14 communication with the Internet at a predetermined, desired level of service using
15 information from a unique configuration record on a configuration server. (Li,
16 Col. 11, lines 60-63, Col. 11, lines 43-48, and Col. 12, lines 43-48).

17 The unique configuration record is pre-entered by the user and includes
18 information concerning the user's preferences regarding what to connect to the
19 Internet through the Internet access device (computer system or LAN), as well as
20 what sort of connection is desired for access to the Internet (i.e. dial up, ISDN, T1,
21 T3, etc.). (Li, Col. 9, lines 25-41). The ISP adds information such as an IP
22 address block to the configuration record and upgrade service parameters may be
23 used to allow the Internet access device to automatically receive software
24 upgrades over the Internet. (Li, Col. 9, lines 52-44 and Col. 16, lines 15-20).

1 Nowhere does Li disclose or show “assessing computing system resources”
2 or “comparing the assessed computing system resources against authorized and
3 available computing system resources” as recited in claim 1. Neither does Li
4 disclose “automatically modifying the computing system resources based, at least
5 in part, on the assessment of the computing system resources by selectively
6 installing, and/or configuring certain of the computing system resources to include
7 at least some of the authorized and available computing system resources and
8 settings found to be missing from the assessed computing system resources”.

9 Instead, in Li the configuration of the Internet access device does not
10 depend upon an assessment of computing system resources of the Internet access
11 device, and there exists no assessment of computing system resources used as a
12 basis for modifying the computer system resources. Rather, the Internet access
13 device in Li is configured solely using information input to a configuration record
14 by the customer and/or the ISP. The actions needed to precipitate configuration
15 are (1) the entering of the information by the customer and the ISP (to create the
16 configuration record), and (2) the entering to the Internet access device of the
17 registration ID and the local telephone number of a network access server located
18 on the ISP’s network (to enable the Internet access device to be placed in
19 communication with the configuration record).

20 This is markedly different than “automatically modifying the computing
21 system resources based, at least in part, on the assessment of the computing
22 system resources by selectively installing, and/or configuring certain of the
23 computing system resources to include at least some of the authorized and
24 available computing system resources and settings found to be missing from the
25 assessed computing system resources” as recited in claim 1.

1 Accordingly, it is clear that Li does not teach all the elements of claim 1. A
2 §102 anticipation rejection requires that a cited reference teach every element of
3 the claim. “A claim is anticipated only if each and every element as set forth in
4 the claim is found”. Anticipation requires that “The identical invention must be
5 shown in as complete detail as is contained in the . . . claim”. (MPEP 2131).

6 Because Li does not teach all the elements of claim 1, the §102 anticipation
7 rejection of claim 1 based on Li is not supported. Applicant therefore respectfully
8 requests that the §102(e) rejection of claim 1 be removed.

9 **Claims 2-12** depend from claim 1, and thereby incorporate each of the
10 elements of claim 1. Accordingly, claims 2-12 are allowable at least on the basis
11 of this dependency, in addition to the further elements recited therein which are
12 neither shown nor disclosed by the cited reference. For example, **amended claim**
13 **4** recites:

14 A method according to claim 1, wherein the identifier associated
15 with the computing system and/or computing system user is received
16 from the computing system and/or a communications device
17 associated with the computing system user, wherein the
communications device is not coupled directly to the computing
system.

18 In addition to Li’s failings discussed above with reference to claim 1, Li
19 also fails to disclose “wherein the identifier associated with the computing system
20 and/or computing system user is received from the computing system and/or a
21 communications device associated with the computing system user, wherein the
22 communications device is not coupled directly to the computing system”. Instead,
23 Li shows a customer inputting a registration ID onto the Internet access device
24 itself, wherein the Internet access device is connected directly to the user’s
25

1 computer system. Moreover, Li makes no mention of a communications device
2 which is not coupled directly to the computing system

3 Another exemplary claim, **claim 5**, recites:

4 A method according to claim 4, further comprising:
5 automatically modifying system resources of the
6 communications device based, at least in part, on the assessment of
7 the computing system resources.

8 Here, among other omitted elements, Li fails to disclose “automatically
9 modifying system resources of the communications device based, at least in part,
10 on the assessment of the computing system resources”. In fact, as disclosed
11 above, Li completely omits disclosing a communications device as well as an
12 assessment of computing system resources.

13 Another exemplary claim, **claim 6**, recites:

14 A method according to claim 1, further comprising:
15 selectively updating certain of the computing system
16 resources based, at least in part, on the comparison of the assessed
17 computing system resources against authorized and available
18 computing system resources.

19 Li does not disclose or show “selectively updating certain of the computing
20 system resources based, at least in part, on the comparison of the assessed
21 computing system resources against authorized and available computing system
22 resources”. Rather, Li discloses the configuration of an Internet access device
23 based on an existing configuration record once a registration ID is entered.
24 Software upgrades, as disclosed in Li, may be automatically received over the
25 Internet on the basis of upgrade service parameters. Thus, under Li, no
comparison of the assessed computing system resources against authorized and
available computing system resources is required or performed.

1 Applicant therefore respectfully requests that the §102(e) rejection of
2 claims 2-12 be removed.

3
4 **Amended independent claim 13** recites:

5 A server comprising:

6 a storage device to maintain a profile of resources that are
7 available to authorized users and are missing from a computing
8 system; and

9 a configuration agent, coupled to the storage device, to
10 receive an identifier associated with the computing system and/or
11 computing system user and automatically configure resources of the
12 computing system to include at least some of the resources that are
13 available to authorized users based, at least in part, on an assessment
14 of the computing system resources.

15 Li fails to disclose or show “a storage device to maintain a profile of
16 resources that are available to authorized users and *are missing from a computing*
17 *system*” as recited in claim 13. In addition, Li fails to disclose “a configuration
18 agent, coupled to the storage device, to receive an identifier associated with the
19 computing system and/or computing system user and automatically configure
20 resources of the computing system to include at least some of the resources that
21 are available to authorized users based, at least in part, on an assessment of the
22 computing system resources”. Instead, as noted above, Li fails to disclose or show
23 both making an assessment of computing system resources, and configuring
24 resources of the computing system to include at least some of the resources that
25 are available to authorized users.

26 In rejecting claim 13, the Office relies on Li at Col. 9, line 25 through Col.
27 10, line 5; and Col. 14, lines 50-65. However, Li does not disclose all the
28 elements of claim 13 in the cited passages or anywhere else within Li.

1 As discussed in more detail above, in Li the configuration of the Internet
2 access device does not depend upon an assessment of computing system resources
3 of the Internet access device, and there exists no assessment of computing system
4 resources that is used as a basis for automatically configuring the computer system
5 resources. Rather, the Internet access device in Li is configured solely using
6 information input to a configuration record by the customer and/or the ISP. The
7 actions needed to precipitate configuration are (1) the entering of the information
8 by the customer and the ISP (to create the configuration record), and (2) the
9 entering to the Internet access device of the registration ID and the local telephone
10 number of a network access server located on the ISP's network (to enable the
11 Internet access device to be placed in communication with the configuration
12 record).

13 Accordingly, it is clear that Li does not teach all the elements of claim 13.
14 A §102 anticipation rejection requires that a cited reference teach every element of
15 the claim. "A claim is anticipated only if each and every element as set forth in
16 the claim is found". Anticipation requires that "The identical invention must be
17 shown in as complete detail as is contained in the . . . claim". (MPEP 2131).

18 Because Li does not teach all the elements of claim 13, the §102
19 anticipation rejection of claim 13 based on Li is not supported. Applicant
20 therefore respectfully requests that the §102(e) rejection of claim 13 be removed.

21 Accordingly, for at least the same reasons indicated above regarding claim
22 1, the rejection of claim 13 is also not supported. Applicant therefore respectfully
23 requests that the §102(e) rejection of claim 13 be removed.

24 **Claims 14-20** depend from claim 13, and thereby incorporate each of the
25 elements of claim 13. Accordingly, claims 14-20 are allowable at least on the

1 basis of this dependency, in addition to the further elements recited therein which
2 are neither shown nor suggested by the cited reference. For example, **amended**
3 **claim 14** recites:

4 A server according to claim 13, wherein an assessment of the
5 computing system resources comprises an assessment of at least one
6 of an operating system, configuration settings, personalization
7 settings, Internet settings or application settings on the computing
8 system.

9 As discussed above in conjunction with claims 1 and 13, among other
10 deficiencies, Li does not disclose or show “an assessment of at least one of an
11 operating system, configuration settings, personalization settings, Internet settings
12 or application settings on the computing system.”

13 In another example, **amended claim 16** recites:

14 A server according to claim 13, wherein the configuration
15 agent receives the identifier from the computing system and/or a
16 communications device remote from the computing system
17 associated with the computing system user.

18 In addition to Li’s failings discussed above in conjunction with claims 1
19 and 13, Li also fails to disclose “wherein the configuration agent receives the
20 identifier from the computing system and/or a communications device remote
21 from the computing system associated with the computing system user”. Rather,
22 Li discloses a customer inputting a registration ID onto the Internet access device
23 which is directly connected to a computer system or LAN.

24 Applicant therefore respectfully requests that the §102(e) rejection of
25 claims 14-20 be removed.

1 **Amended independent claim 21** recites:

2 A storage medium comprising a plurality of executable
3 instructions including at least a subset of which that, when executed,
4 implement a configuration agent,

5 to assess system resources of a computing system upon
6 receipt of an identifier associated with the computing system and/or
7 computing system user,

8 and to automatically modify resources of the computing
9 system to include available and authorized resources associated with
10 the received identifier based, at least in part, on an assessment of
11 computing system resources.

12 As noted above, Li does not teach “a configuration agent, to assess system
13 resources of a computing system upon receipt of an identifier associated with the
14 computing system and/or computing system user, and to automatically modify
15 resources of the computing system to include available and authorized resources
16 associated with the received identifier based, at least in part, on an assessment of
17 computing system resources” as recited in claim 21. Additionally, nowhere does
18 Li disclose or show either “to assess system resources of a computing system upon
19 receipt of an identifier associated with the computing system” or “to automatically
20 modify resources of the computing system to include available and authorized
21 resources associated with the received identifier based, at least in part, on an
22 assessment of computing system resources”.

23 In rejecting claim 21, the Office relies on the same passages of Li which
24 were relied on in the rejection of claim 13. However, Li does not disclose all the
25 elements of claim 21 in the cited passages or anywhere else within Li.

26 Rather, in Li, an Internet access device is configured solely on the basis of a
27 registration ID that the Internet access device provides to a configuration server,
28 and not on the basis of an assessment of its computing system resources or of

1 available and authorized resources associated with the received identifier based, at
2 least in part, on an assessment of computing system resources.

3 Accordingly, for at least the same reasons indicated above regarding claims
4 1 and 13, the rejection of claim 21 is also not supported. Applicant therefore
5 respectfully requests that the §102(e) rejection of claim 21 be removed.

6 **Claims 22-26** depend from claim 21, and thereby incorporate each of the
7 elements of claim 21. Accordingly, claims 22-26 are allowable at least on the
8 basis of this dependency, in addition to the further elements recited therein which
9 are neither shown nor suggested by the cited reference. Applicant therefore
10 respectfully requests that the §102(e) rejection of claims 22-26 be removed.

11
12 **Amended independent claim 32** recites:

13 A method comprising:

14 issuing a configuration request from a computing system,
15 wherein the configuration request includes an identifier associated
16 with the computing system and/or computing system user; and

17 receiving a response to the configuration request at the
18 computing system, the response including one or more new
19 computing system resources, wherein the one or more new
20 computing system resources are automatically installed and
21 configured on the computing system based, at least in part, on an
22 assessment of current computing system resources of the computing
23 system.

24 As noted above, Li neither discloses “receiving a response to the
25 configuration request at the computing system, the response including one or more
new computing system resources”, nor does Li disclose “wherein the one or more
new computing system resources are automatically installed and configured on the

1 computing system based, at least in part, on an assessment of current computing
2 system resources of the computing system” as recited in claim 32.

3 In rejecting claim 13, the Office relies on Li at Col. 9, line 25 through Col.
4 10, line 5; and Col. 14, lines 50-65. However, Li does not disclose all the
5 elements of claim 13 in the cited passages or anywhere else within Li.

6 In fact, nowhere does Li disclose or show either “an assessment of current
7 computing system resources of the computing system” or “or more new
8 computing system resources are automatically installed and configured on the
9 computing system based, at least in part, on an assessment of current computing
10 system resources of the computing system”.

11 Rather, in Li, an Internet access device is configured solely on the basis of a
12 registration ID that the Internet access device provides to a configuration server,
13 and not on the basis of an assessment of its computing system resources.

14 Accordingly, for at least the same reasons indicated above regarding claims
15 1, 13, and 21, the rejection of claim 32 is also not supported. Applicant therefore
16 respectfully requests that the §102(e) rejection of claim 32 be removed.

17 **Claims 33-36** depend from claim 32, and thereby incorporate each of the
18 elements of claim 32. Accordingly, claims 33-36 are allowable at least on the
19 basis of this dependency, in addition to the further elements recited therein which
20 are neither shown nor suggested by the cited reference. Applicant therefore
21 respectfully requests that the §102(e) rejection of claims 33-36 be removed.

1 **§103 Rejections**

2 **Claims 27-31** are rejected under 35 U.S.C. §103(a) as being allegedly
3 unpatentable over US Patent 6,012,088 to Li in view of US Patent 6,212,585 to
4 Chrabaszcz. Applicant respectfully traverses the rejection.

5
6 **Amended independent claim 27** recites:

7 A computing system comprising:

8 a storage device having stored thereon a plurality of
9 executable instructions;

10 a network interface, communicatively coupling the computing
11 system to a network; and

12 a controller, coupled to the storage device and the network
13 interface, to execute at least a subset of the plurality of executable
14 instructions to make an assessment of current hardware and/or
15 software resources of the computing system, and to implement a
16 basic input/output system (BIOS) to issue a configuration request to
17 the network via the network interface, the configuration request
18 based on the assessment and including an identifier associated with
19 the computing system, wherein the assessment is not initiated by the
20 computing system.

21 The combination of Li and Chrabaszcz fails to teach or suggest the
22 computing system of claim 27.

23 For example, claim 27, includes “a controller, coupled to the storage device
24 and the network interface, to execute at least a subset of the plurality of executable
25 instructions to make an assessment of current hardware and/or software resources
of the computing system, and to implement a basic input/output system (BIOS) to
issue a configuration request to the network via the network interface, the
configuration request based on the assessment and including an identifier
associated with the computing system, wherein the assessment is not initiated by
the computing system”. As discussed above, Li does not disclose, teach or suggest

1 making an assessment of current hardware and/or software resources of the
2 computing system. Instead, under Li, information is transferred to the Internet
3 access device solely based on a configuration file pre-entered by a user.

4 Moreover, Li fails to disclose, teach, or suggest implementing “a basic
5 input/output system (BIOS) to issue a configuration request to the network via the
6 network interface”. Rather, under Li the configuration request is entered by the
7 user in the form of a correct registration ID.

8 Further, Li fails to disclose, teach or suggest “the configuration request
9 based on the assessment and including an identifier associated with the computing
10 system, *wherein the assessment is not initiated by the computing system*”.

11 Chrabaszcz does not remedy Li’s failings. The Office sites columns 1
12 through 4 of Chrabaszcz for its purported discussion of automatically configuring
13 a device upon booting. (Office Action, Page 8). Applicant cannot find, however,
14 any teaching or suggestion in Chrabaszcz regarding a controller, coupled to the
15 storage device and the network interface, to execute at least a subset of the
16 plurality of executable instructions to make an assessment of current hardware
17 and/or software resources of the computing system, and to implement a basic
18 input/output system (BIOS) to issue a configuration request to the network via the
19 network interface, the configuration request based on the assessment and including
20 an identifier associated with the computing system, wherein the assessment is not
21 initiated by the computing system as recited in claim 27. Instead Chrabaszcz
22 teaches plug and play techniques which teach away from an assessment which is
23 not initiated by a computing system such as is recited in claim 27.

24 Accordingly, Chrabaszcz does not remedy the deficiencies of Li noted
25 above, and claim 27 is allowable over the combination of these two references.

1 A prima facie case of obviousness requires that the prior art reference (or
2 references when combined) must teach or suggest all the claim limitations (MPEP
3 2142, 2143). Therefore, the §103(a) rejection of claim 27 is not supported by the
4 cited references, and Applicant respectfully requests that the rejection be
5 withdrawn.

6 **Claims 28-31** depend from claim 27, and thereby incorporate each of the
7 elements of claim 27. Accordingly, claims 28-31 are allowable at least on the
8 basis of this dependency, in addition to the further elements recited therein which
9 are neither shown nor suggested by the cited references, alone or in combination.
10 Accordingly, Applicant respectfully requests that the §103(a) rejection of claims
11 28-31 be removed.

1 **Conclusion**

2 All pending claims are believed to be in condition for allowance. Applicant
3 respectfully requests reconsideration and prompt issuance of the present
4 application. Should any issue remain that prevents immediate issuance of the
5 application, the Examiner is encouraged to contact the undersigned attorney to
6 discuss the unresolved issue.

7
8 Respectfully Submitted,

9
10
11 Dated: Aug 24, 2005

12 By: Jim Patterson
13 Jim Patterson
14 Reg. No. 52,103
15 (509) 324-9256; ext. 247
16
17
18
19
20
21
22
23
24
25